

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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BARKAT S. HOODA, M.D.,  
Plaintiff,

v.

**ORDER**  
11-CV-504-A

W.C.A. SERVICE CORPORATION  
d/b/a WCA HOSPITAL, and  
BETSY T. WRIGHT,

Defendants.

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The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On April 30, 2013, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendants' motion for summary judgment be granted in part and denied in part.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties. Defendant W.C.A. Service Corporation filed an objection to the Report and Recommendation, but subsequently filed a motion to withdraw the objection. The Court grants defendant's motion to withdraw the objection. Therefore, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, defendant's motion for summary judgment is granted in part and denied in part. Plaintiff's Complaint is dismissed, the Clerk shall enter judgment accordingly and terminate

the action.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: May 17, 2013